

FILED

JUN 22 2022

**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF WEST VIRGINIA**

**U.S. DISTRICT COURT
ELKINS WV 26241**

UNITED STATES OF AMERICA,

v.

ERIC TIMOTHY GRAY,

Defendant.

Criminal No. 3:22-CR- 38

**Violations: 18 U.S.C. § 922(a)(6)
18 U.S.C. § 922(g)(1)
18 U.S.C. § 924(a)(2)**

INDICTMENT

The Grand Jury charges that:

COUNT ONE

(Unlawful Possession of Firearm)

On or about January 14, 2020, in Berkeley County, in the Northern District of West Virginia, defendant **ERIC TIMOTHY GRAY**, knowing he had previously been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, that is, Assault with Intent to Rape in violation of Article 27, Section 12 of the Annotated Code of Maryland, in criminal case number C-90-1383 in the Circuit Court of Calvert County, Maryland, on or about July 11, 1991; did knowingly possess in and affecting commerce a firearm, that is a Remington Rifle Model 760 Carbine, .30-06 Springfield caliber, with a serial number of A7355248, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT TWO

(Unlawful Possession of Firearm)

On or about January 16, 2020, in Berkeley County, in the Northern District of West Virginia, defendant **ERIC TIMOTHY GRAY**, knowing he had previously been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, that is, Assault with Intent to Rape in violation of Article 27, Section 12 of the Annotated Code of Maryland, in criminal case number C-90-1383 in the Circuit Court of Calvert County, Maryland, on or about July 11, 1991; did knowingly possess in and affecting commerce a firearm, that is a Altobelli Arms Company shotgun Model Silver Eagle Sportster SE, 20 gauge, with a serial number of 16-12561, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT THREE

(Unlawful Possession of Firearm)

On or about January 17, 2020, in Berkeley County, in the Northern District of West Virginia, defendant **ERIC TIMOTHY GRAY**, knowing he had previously been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, that is, Assault with Intent to Rape in violation of Article 27, Section 12 of the Annotated Code of Maryland, in criminal case number C-90-1383 in the Circuit Court of Calvert County, Maryland, on or about July 11, 1991; did knowingly possess in and affecting commerce a firearm, that is a Remington Rifle Model 7400, .280 Remington caliber, with a serial number A8057686, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT FOUR

(Unlawful Possession of Firearm)

On or about January 21, 2020, in Berkeley County, in the Northern District of West Virginia, defendant **ERIC TIMOTHY GRAY**, knowing he had previously been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, that is, Assault with Intent to Rape in violation of Article 27, Section 12 of the Annotated Code of Maryland, in criminal case number C-90-1383 in the Circuit Court of Calvert County, Maryland, on or about July 11, 1991; did knowingly possess in and affecting commerce a firearm, that is one, Savage Arms Rifle 11, .7mm-08 Remington caliber, with a serial number G715077, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT FIVE

(False Statement During the Purchase of a Firearm)

On or about January 28, 2020, in Berkeley County, in the Northern District of West Virginia, defendant, **ERIC TIMOTHY GRAY**, in connection with the acquisition of a firearm, Altobelli Arms Company shotgun Model Silver Eagle Sportster SE, 20 gauge, with a serial number of 16-12561, from a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code (referred to as a FFL), knowingly made a false and fictitious written statement to a FFL, which statement was intended and likely to deceive a FFL, as to a fact material to the lawfulness of such sale of the said firearm to defendant **ERIC TIMOTHY GRAY** under chapter 44 of Title 18, in that the defendant represented that he had never been convicted in any court of crime punishable by more than one year in prison, when in fact he was convicted for Assault with Intent to Rape in violation of Article 27, Section 12 of the Annotated Code of Maryland, in criminal case number C-90-1383 in the Circuit Court of Calvert County, Maryland, on or about July 11, 1991; in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

COUNT SIX

(False Statement During the Purchase of a Firearm)

On or about January 29, 2020, in Berkeley County, in the Northern District of West Virginia, defendant, **ERIC TIMOTHY GRAY**, in connection with the acquisition of a firearm, Remington Rifle Model 760 Carbine, .30-06 Springfield caliber, with a serial number of A7355248, from a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code (referred to as a FFL), knowingly made a false and fictitious written statement to a FFL, which statement was intended and likely to deceive a FFL, as to a fact material to the lawfulness of such sale of the said firearm to defendant **ERIC TIMOTHY GRAY** under chapter 44 of Title 18, in that the defendant represented that he had never been convicted in any court of crime punishable by more than one year in prison, when in fact he was convicted for Assault with Intent to Rape in violation of Article 27, Section 12 of the Annotated Code of Maryland, in criminal case number C-90-1383 in the Circuit Court of Calvert County, Maryland, on or about July 11, 1991; in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

True Bill,

/s/
Grand Jury Foreperson

/s/
WILLIAM IHLENFELD
United States Attorney

Kimberley D. Crockett
Assistant United States Attorney